

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Docket No.: CV 11-0068
(DRH)(WDW)

-----X
SANDY BERNSTEIN,

Plaintiff,

NOTICE OF MOTION

- against -

Return Date: 10/25/11

MOUNT ARARAT CEMETERY, INC.,

Defendant.
-----X

MOVING PARTY:

HAMMILL, O'BRIEN, CROUTIER,
DEMPSEY, PENDER & KOEHLER, P.C.
Attorneys for Defendant
MOUNT ARARAT CEMETERY, INC.

SUPPORTING PAPERS:

Declaration of TINA YANOVER, ESQ., dated September 9, 2011, and the exhibits thereto, the Rule 56.1 Statement, the accompanying Memorandum of Law and upon all papers and proceedings had herein.

DATE, TIME & PLACE
MOTION RETURNABLE:

That on October 25, 2011, at 9:30 a.m. or as soon thereafter as counsel may be heard before the Hon. Justice Denis R. Hurley of the United States District Court of the Eastern District of New York located at 100 Federal Plaza, Room 930, Central Islip, New York 11722.

RELIEF REQUESTED:

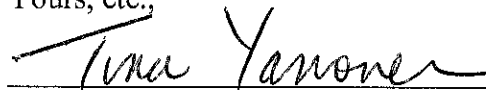
For an Order to be made and entered pursuant to Federal Rules of Civil Procedure Rule 12(c) or alternatively, for an Order pursuant to Federal Rules of Civil Procedure Rule 56 dismissing plaintiff's complaint in its entirety asserted against defendant, Mount Ararat Cemetery, Inc., and for such other and further relief as this Court may deem just, equitable and proper.

NOTICE:

Please take notice that answering papers, if any, must be served on the undersigned pursuant to the local court rules and pursuant to the directions of the Honorable Senior Judge Denis R. Hurley.

DATED: Syosset, New York
September 9, 2011

Yours, etc.,



TINA YANOVER (9416)
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